

REMARKS

Applicant respectfully thanks the Examiner for indicating the allowable subject matter of claims 30-33, 35, and 37-39.

Claim Rejections Under 35 U.S.C. §102(e)

Claims 26-29, 34, 36, and 40-50 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2003/0020004 to Reime ("Reime" hereinafter). In reply, Applicant's herein amend claim 26 to recite in part:

"...wherein at least one of: a diffusely backscattered radiation is coupled into the optical guide by at least one light coupling element of the optical guide itself transversely relative to a longitudinal extent of the optical guide, and a radiation emitted through the optical guide by at least one transmitting element is radiated by at least one light coupling element of the optical guide itself transversely to the longitudinal extent of the optical guide."

This new limitation essentially comes at least in part from previous claim 27, herein canceled.

With respect to this limitation of previous claim 27, the Examiner asserts that paragraph [0081] of Reime discloses a method and device that includes at least one light coupling element that couples into the optical guide the radiation or light scattered by the object transversely to the longitudinal extent of the optical guide. Applicant respectfully disagrees with this assertion. Paragraph [0081] of Reime teaches light that is "reflected on the boundary surface 130B or is diffused back into the photoconductor and emerges again from the first boundary surface 130A." Referring to Figure 9 of Reime, which paragraph [0081] describes, the longitudinal extent of the optical guide is taught to lie between boundary surface 130A and 130B, and the light/radiation is taught to *traverse* this distance as it is "reflected...or diffused back," from 130B to 130A. Applicant's amended claim 26 (and previously presented claim 27) includes an element of coupling-in radiation *transversely* to the longitudinal extent of the optical guide. Thus,

Applicant's claim 26 claims radiation that is coupled-in crosswise of the longitudinal extent, as opposed to radiation that traverses the longitudinal extent, as is taught by Reime. In order to teach the "coupling-in transversely" element of the Applicant's claim, Figure 9 would have to show radiation coupled into the optical guide from, for example, areas where the reference numerals 130 are arranged. As Reime teaches light/radiation that *traverses* a longitudinal extent of the optical guide instead of radiation coupled into the optical guide *transversely* to the longitudinal extent of the optical guide, Applicant respectfully asserts that Reime does not teach every element of Applicant's claim 26. Therefore, Reime does not anticipate claim 26, or claims 28-29, 34, and 36 (27 cancelled) that depend therefrom.

Similarly, claim 42 is amended herein to recite, in part:

"...wherein at least one of: a diffusely backscattered radiation is coupled into the optical guide by at least one light coupling element of the optical guide itself transversely relative to a longitudinal extent of the optical guide, and a radiation emitted through the optical guide by at least one transmitting element is radiated by at least one light coupling element of the optical guide itself transversely to the longitudinal extent of the optical guide."

As mentioned above, Reime does not teach radiation emitted through the optical guide transversely to the longitudinal extent of the optical guide. Therefore, every element of claim 42 is not taught by Reime, and Reime does not anticipate claim 42 or claims 43 and 45-50 (44 cancelled) that depend therefrom.

Applicant respectfully asserts that all of the rejections are herein overcome. No new matter is added by way of the present Amendments or Remarks, as support is found throughout the original filed specification, claims, and drawings. Notice of Allowance is respectfully requested.

If the Examiner has any questions regarding the instantly submitted response, Applicant's attorney respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention.

Applicant hereby petitions under 35 C.F.R. §§1.136 for any extension of time necessary for entry and consideration of this response.

If there are any additional charges with respect to this response or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorney.

Respectfully submitted,

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